

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN DOE 1 and JANE DOE 1, in their own capacity and as parents of CHILD DOE 1, JOHN DOE 2 and JANE DOE 2, in their own capacity as parents of CHILD DOE 2, JANE DOE 3, in her own capacity and as a parent of CHILD DOE 3 and on behalf of those similarly situated, Plaintiffs,

v.

PERKIOMEN VALLEY SCHOOL DISTRICT, a Pennsylvania governmental entity, JASON SAYLOR, MATTHEW DORR, ROWAN KEENAN, DON FOUNTAIN, KIM MARES, REENA KOLAR, SARAH EVANS-BROCKETT, LAURA WHITE, and TAMMY CAMPLI, all Individual elected officers sued in their official capacity as members of the BOARD OF SCHOOL DIRECTORS OF THE PERKIOMEN VALLEY SCHOOL DISTRICT, a Pennsylvania elected legislative body, Defendants.

CIVIL ACTION

NO. 22-cv-287

ORDER

AND NOW, this 7th day of February, 2022, upon consideration of Plaintiffs' Motion for Preliminary Injunction (ECF Nos. 19-21), Defendants' Response in Opposition thereto (ECF No. 24), and Plaintiffs' Reply (ECF No. 27) as well as Plaintiffs' and Defendants' Statement of Facts submitted following a hearing on the Motion (respectively ECF 33 and ECF 32) it is **HEREBY ORDERED** that Plaintiffs' Motion is **GRANTED**. It is **FURTHER ORDERED** that:

1. Defendants, their agents, servants, employees, attorneys, and all persons in active concert or participation with any of them, are **ENJOINED** from implementing or enforcing Phase Two of the ARP ESSER Health and Safety Transition Plan (version 3) approved by the Board of School Directors of the Perkiomen Valley

School District (the “Board”) on January 2, 2022, entitled “Masking – beginning January 24, 2022.”

2. The Perkiomen Valley School District (the “District”) and the Board shall immediately notify the entire District by all means possible that the masking policy applicable during Phase One of the ARP ESSER Health and Safety Transition Plan (version 3) approved by the Board on January 2, 2022, entitled “Masking – January 3-21, 2022,” is the operative policy and shall remain in effect until further order of the Court.
3. Each Plaintiff **SHALL POST** a bond of \$1 (one dollar) for each Defendant.

This Order supersedes the Temporary Restraining Order entered on January 25, 2022 (ECF No. 12) in all respects.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.